

## UNITED STATES DISTRICT COURT

for the  
Eastern District of Washington

BILLY KELLEY,

\_\_\_\_\_  
*Plaintiff*

v.

CAROLYN W. COLVIN, acting Commissioner of Social  
Security,\_\_\_\_\_  
*Defendant*

Civil Action No. 1:16-CV-3025-RHW

**JUDGMENT IN A CIVIL ACTION**The court has ordered that (*check one*):

☐ the plaintiff (*name*) \_\_\_\_\_ recover from the  
defendant (*name*) \_\_\_\_\_ the amount of  
\_\_\_\_\_ dollars (\$ \_\_\_\_\_), which includes prejudgment  
interest at the rate of \_\_\_\_\_ %, plus post judgment interest at the rate of \_\_\_\_\_ % per annum, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant (*name*) \_\_\_\_\_  
\_\_\_\_\_ recover costs from the plaintiff (*name*) \_\_\_\_\_  
\_\_\_\_\_.

☒ other: Plaintiff's Motion for Summary Judgment (ECF No. 13) is GRANTED in part. Defendant's Motion for Summary  
Judgment (ECF No. 14) is DENIED. This matter is Remanded to the Commissioner for further proceedings.  
Judgment is entered for Plaintiff.

This action was (*check one*):

☐ tried by a jury with Judge \_\_\_\_\_ presiding, and the jury has  
rendered a verdict.

☐ tried by Judge \_\_\_\_\_ without a jury and the above decision  
was reached.

☒ decided by Judge Robert H. Whaley \_\_\_\_\_ on Motions for  
Summary Judgment (ECF Nos. 13 and 14).

Date: October 27, 2016

CLERK OF COURT

SEAN F. McAVOYs/ Penny Lamb*(By) Deputy Clerk*Penny Lamb